

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEONARD G. PAIGE,

Plaintiff,

vs.

Civil Action 2:12-cv-764
Judge Frost
Magistrate Judge King

CAROLYN W. COLVIN,
ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

REPORT AND RECOMMENDATION

Plaintiff filed a motion for an award of attorney's fees, Doc. No. 15, and the parties have stipulated to an award of attorney fees in the amount of \$2,730.05 under the Equal Access to Justice Act, 28 U.S.C. § 2412, and costs in the amount of \$369.95, for a total of \$3,100.00. *Joint Stipulation to Award Attorney's Fees under the Equal Access to Justice Act*, Doc. No. 16.

It is **RECOMMENDED** that plaintiff's motion for an award of attorney's fees, Doc. No. 15, be granted consistent with the parties' stipulation, Doc. No. 16. It is **SPECIFICALLY RECOMMENDED** that plaintiff be awarded an attorney's fee in the amount of \$2,730.05 under the Equal Access to Justice Act, 28 U.S.C. § 2412, and costs in the amount of \$369.95, for a total of \$3,100.00.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and*

Recommendation, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. §636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

s/Norah McCann King
Norah McCann King
United States Magistrate Judge

May 30, 2013